

ORDINANCE NO. 953-12

BY THE COUNCIL: BEAUMONT, MOSER, SIMKO, SOUZA

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN CITY, IDAHO, APPROVING THE FIRST AMENDMENT TO THE AMENDED AND RESTATED URBAN RENEWAL AGENCY PLAN, RIVER FRONT URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of Garden City, Idaho ("City"), respectively, on or about the 9th day of May, 1995, adopted and approved Resolution No. 669 creating the Garden City Urban Renewal Agency (the "Agency"), authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the "Law"), and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (hereinafter the "Act") upon making the findings of necessity required for creating said Agency;

WHEREAS, Resolution No. 669 certified an area in Garden City as a "deteriorated area" or "deteriorating area" based upon the July 1995 Urban Renewal Eligibility Report and the subsequent August 1995 Urban Renewal Eligibility Report prepared by Harlan W. Mann, Real Estate Consultant;

WHEREAS, the City, after notice duly published, conducted a public hearing on the River Front Urban Renewal Plan (the "River Front Plan");

WHEREAS, following said public hearing, the City adopted its Ordinance No. 681 on December 10, 1996, approving the River Front Plan and making certain findings;

WHEREAS, the City, after notice duly published, conducted a public hearing on the Amended and Restated Urban Renewal Plan River Front Urban Renewal Project (the "Amended and Restated Plan");

WHEREAS, following said public hearing, the City adopted its Ordinance No. 888.08 on April 14, 2008, approving the Amended and Restated Plan and making certain findings;

WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area

WHEREAS, such First Amendment to the Amended and Restated Plan also contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency Board considered all comment and information submitted to the Agency during several Board meetings and the Board meeting held on July 16, 2012;

WHEREAS, on July 16, 2012, the Agency Board passed Resolution No. 2012-5 proposing and recommending the approval of the First Amendment to the Amended and Restated Plan;

WHEREAS, the Agency has, by letter of transmittal dated July 23, 2012, submitted the First Amendment to the Amended and Restated Plan to the Mayor and City;

WHEREAS, the Mayor and City Clerk have taken the necessary action to process the First Amendment to the Amended and Restated Plan;

WHEREAS, at a meeting held August 15, 2012, the Garden City Planning and Zoning Commission considered the First Amendment to the Amended and Restated Plan and found that the First Amendment to the Amended and Restated Plan is in all respects in conformity with the Comprehensive Plan; a copy of the Planning and Zoning Commission Findings and Recommendations is attached hereto as Exhibit 1;

WHEREAS, notice of the public hearing of the First Amendment to the Amended and Restated Plan was caused to be published by the City Clerk of Garden City, Idaho, in the *Idaho Statesman* on August 25 and September 1, 2012, a copy of said notice being attached hereto as Exhibit 2;

WHEREAS, as of August 23, 2012, the First Amendment to the Amended and Restated Plan was submitted to the affected taxing entities, available to the public, and under consideration by the City Council;

WHEREAS, the City Council during its regular meeting of September 24, 2012, held such public hearing;

WHEREAS, as required by Idaho Code Sections 50-2905 and 50-2906, the First Amendment to the Amended and Restated Plan contains the following information which was made available to the general public and all taxing districts at least thirty (30) days prior to the public hearing on September 24, 2012, the regular meeting of the City Council, but no more than sixty (60) days prior to the date set for final reading of the ordinance: (1) the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (2) an economic feasibility study; (3) a detailed list of estimated project costs; (4) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (5) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;

opportunity consistent with the sound needs of the City as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.

(f) The collective base assessment roll of the First Amendment to the Amended and Restated Revenue Allocation Area and the proposed new River Front East Revenue Allocation Area does not exceed ten percent (10%) of the assessed value of the City.

(g) The First Amendment to the Amended and Restated Plan includes the requirements set out in Idaho Code § 50-2905.

SECTION 2: The City Council finds that the First Amendment to the Amended and Restated Project Area and Revenue Allocation Area do not consist of predominantly open land, that the Agency does not intend to acquire any open land on any widespread basis, and that the Project Area is planned to be redeveloped in a manner that will include nonresidential uses. Provided, however, the City Council finds that if portions of the Project Area and Revenue Allocation Area are deemed "open land," the criteria set forth in the Law and Act has been met.

SECTION 3: The City Council finds that the First Amendment to the Amended and Restated Plan meets the sound needs of the City and will provide opportunities in an area that does not now contain such opportunities, and nonresidential uses are necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan for the city of Garden City, as amended to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.

SECTION 4: The First Amendment to the Amended and Restated Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is, approved. As directed by the City Council, the City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the September 24, 2012, hearing, and incorporate changes or modifications, if any.

SECTION 5: That the City Council declares that nothing within the First Amendment to the Amended and Restated Plan is intended or shall be interpreted to usurp the jurisdiction and authority of the Ada County Highway District as defined in Chapter 14, Title 40, Idaho Code. Further, pursuant to Section 40-1415, Idaho Code, the Ada County Highway District has authority over the planning, location, design, construction, reconstruction, and maintenance of the City rights-of-way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads, and retaining walls. In the planning process, the District shall take into consideration the planning principles contained in the First Amendment to the Amended and Restated Plan.

SECTION 6: No direct or collateral action challenging the First Amendment to the Amended and Restated Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the First Amendment to the Amended and Restated Plan.

SECTION 7: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Ada County and to the appropriate officials of Ada County Board of County Commissioners, Ada County Emergency Medical Services, School District No. 1, City of Garden City, North Ada Fire and Rescue, Mosquito Abatement District, Flood Control District No. 10, College of Western Idaho, Ada County Highway District, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the First Amendment to the Amended and Restated Revenue Allocation Area, and a map or plat indicating the boundaries of the First Amendment to the Amended and Restated Revenue Allocation Area.

SECTION 8: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2012, to the extent permitted by the Act, with the Original Revenue Allocation Area maintaining its base assessment roll as of January 1, 1996, and the Amended and Restated Revenue Allocation Area maintaining its base assessment roll as of January 1, 2008.

SECTION 9: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

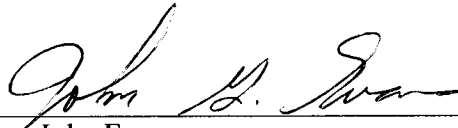
SECTION 10: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 11: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 12: SAVINGS CLAUSE: This ordinance does not affect an action or proceeding commenced or right accrued before this ordinance takes effect.

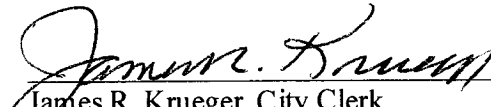
PASSED by the City Council of the city of Garden City, Idaho, on this 22nd day of October, 2012.

APPROVED by the Mayor of the city of Garden City, Idaho, on this 22nd day of October, 2012.



Mayor John Evans

ATTEST:



James R. Krueger, City Clerk



Exhibit 1

FINDINGS AND RECOMMENDATIONS FINDING THE FIRST AMENDMENT TO THE
AMENDED AND RESTATED URBAN RENEWAL PLAN RIVER FRONT URBAN
RENEWAL PROJECT
IN CONFORMITY WITH COMPREHENSIVE PLAN

Exhibit 2

NOTICE PUBLISHED IN THE *IDAHO STATESMAN*

NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE
CITY COUNCIL OF THE CITY OF GARDEN CITY
TO CONSIDER THE
FIRST AMENDMENT TO THE
AMENDED AND RESTATED URBAN RENEWAL PLAN
RIVER FRONT URBAN RENEWAL PROJECT
OF THE GARDEN CITY URBAN RENEWAL AGENCY
OF THE CITY OF GARDEN CITY

NOTICE IS HEREBY GIVEN that the City Council of the city of Garden City will hold during its regular meeting, a public hearing in City Council Chambers, 6015 Glenwood Street, Garden City, Idaho, 83714 on September 24, 2012, at 6:00 p.m., to consider the First Amendment to the Amended and Restated Urban Renewal Plan ("Amended Plan") of the Garden City Urban Renewal Agency ("Agency"). The boundaries of the Amended Plan Area are hereinafter described. The boundaries include both urban renewal and revenue allocation areas. The Amended Plan proposes that the Agency undertake urban renewal projects pursuant to the Idaho Urban Renewal Law of 1965 as amended. The Amended Plan proposes to amend an urban renewal area commonly referred to as the Amended Urban Renewal Project Area. The Amended Plan being considered for adoption contains a revenue allocation financing provision pursuant to the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, that will cause property taxes resulting from any increase in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll as of January 1, 1996 for the original area, to be allocated to the Agency for urban renewal purposes. The major purpose of the Amended Plan is to delete certain properties along 42nd Street from the existing urban renewal and revenue allocation area. The Agency has adopted and recommended approval of the Amended Plan. The City Council will also be considering the first reading of an Ordinance to adopt the Amended Plan. The third reading of the Ordinance is scheduled for October 22, 2012, at 6:00 p.m.

The general scope and objectives of the Amended Plan are:

1. Acquisition of certain real property (if needed) and through the measures described in Section 305;
2. Demolition or removal of certain buildings and improvements for public rights-of-way for streets, utilities, walkways, and other improvements for public facility building sites, to eliminate unhealthful, unsanitary, or unsafe conditions, improve density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or to prevent the spread of deterioration;
3. Provision for participation by property owners within the Amended Project Area;
4. Management of any property acquired by any entity under the ownership and control of the Agency;
5. Provision for relocation assistance to displaced Project occupants, as required by law;

Exhibit 4
CITY OF GARDEN CITY

SUMMARY OF ORDINANCE NO. 953-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN CITY, IDAHO, APPROVING THE FIRST AMENDMENT TO THE AMENDED AND RESTATED URBAN RENEWAL AGENCY PLAN, RIVER FRONT URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GARDEN CITY:

SECTION 1: It is hereby found and determined that:

- (a) The Project Area as defined in the First Amendment to the Amended and Restated Plan is a deteriorated or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, and redevelopment of the urban renewal area pursuant to the First Amendment to the Amended and Restated Plan are necessary in the interests of public health, safety, and welfare of the residents of the City.
- (c) There continues to be a need for the Agency to function in the City.
- (d) The First Amendment to the Amended and Restated Plan conforms to the Comprehensive Plan for the city of Garden City.
- (e) The First Amendment to the Amended and Restated Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.
- (f) The collective base assessment roll of the First Amendment to the Amended and Restated Revenue Allocation Area and the proposed new River Front East Revenue Allocation Area does not exceed ten percent (10%) of the assessed value of the City.
- (g) The First Amendment to the Amended and Restated Plan includes the requirements set out in Idaho Code § 50-2905.

SECTION 2: The City Council finds that the First Amendment to the Amended and Restated Project Area and Revenue Allocation Area do not consist of predominantly open land, that the Agency does not intend to acquire any open land on any widespread basis, and that the Project Area is planned to be redeveloped in a manner that will include nonresidential uses. Provided, however, the City Council finds that if portions of the Project Area and Revenue Allocation Area are deemed “open land,” the criteria set forth in the Law and Act has been met.

SECTION 3: The City Council finds that the First Amendment to the Amended and Restated Plan meets the sound needs of the City and will provide opportunities in an area that does not now contain such opportunities, and nonresidential uses are necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan for the city of Garden City, as amended to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.

SECTION 4: The First Amendment to the Amended and Restated Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is, approved. As directed by the City Council, the City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the September 24, 2012, hearing, and incorporate changes or modifications, if any.

SECTION 5: That the City Council declares that nothing within the First Amendment to the Amended and Restated Plan is intended or shall be interpreted to usurp the jurisdiction and authority of the Ada County Highway District as defined in Chapter 14, Title 40, Idaho Code. Further, pursuant to Section 40-1415, Idaho Code, the Ada County Highway District has authority over the planning, location, design, construction, reconstruction, and maintenance of the City rights-of-way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads, and retaining walls. In the planning process, the District shall take into consideration the planning principles contained in the First Amendment to the Amended and Restated Plan.

SECTION 6: No direct or collateral action challenging the First Amendment to the Amended and Restated Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the First Amendment to the Amended and Restated Plan.

SECTION 7: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Ada County and to the appropriate officials of Ada County Board of County Commissioners, Ada County Emergency Medical Services, School District No. 1, City of Garden City, North Ada Fire and Rescue, Mosquito Abatement District, Flood Control District No. 10, College of Western Idaho, Ada County Highway District, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the First Amendment to the Amended and Restated Revenue Allocation Area, and a map or plat indicating the boundaries of the First Amendment to the Amended and Restated Revenue Allocation Area.

SECTION 8: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2012, to the extent permitted by the Act, with the Original Revenue Allocation Area maintaining its base assessment roll as of January 1, 1996, and the Amended and Restated Revenue Allocation Area maintaining its base assessment roll as of January 1, 2008.

SECTION 9: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 10: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 11: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 12: SAVINGS CLAUSE: This ordinance does not affect an action or proceeding commenced or right accrued before this ordinance takes effect.

PASSED by the City Council of the city of Garden City, Idaho, on this 22nd day of October, 2012.

APPROVED by the Mayor of the city of Garden City, Idaho, on this 22nd day of October, 2012.

EXHIBITS TO THE ORDINANCE

- | | |
|-----------|---|
| Exhibit 1 | Findings and Recommendations Finding the First Amendment to the Amended and Restated Urban Renewal Plan River Front Urban Renewal Project In Conformity With Comprehensive Plan |
| Exhibit 2 | Notice Published in the <i>Idaho Statesman</i> |
| Exhibit 3 | First Amendment to the Amended and Restated Urban Renewal Plan River Front Urban Renewal Project |
| Exhibit 4 | Ordinance Summary |

SUMMARY OF PLAN

The First Amendment to the Amended and Restated Urban Renewal Plan River Front Urban Renewal Project ("Plan") was prepared by the urban renewal agency of the city of Garden City, the Garden City Urban Renewal Agency ("Agency") pursuant to the state of Idaho Urban

Renewal Law, the Local Economic Development Act, the Idaho Constitution, and all applicable laws and ordinances and was approved by the Agency. The Plan provides for the Agency to undertake urban renewal projects pursuant to the Idaho Urban Renewal Law of 1965 as amended. The Plan contains a revenue allocation financing provision pursuant to the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the original base assessment roll as of January 1, 2012, to be allocated to the Agency for the urban renewal purposes.

The general scope and objectives of the Plan are:

- a. elimination of environmental deficiencies in the Amended Project Area, including, among others, obsolete and aged building types and inadequate public improvements and facilities;
- b. assembly of land into parcels suitable for modern, integrated development with improved setback, parking, pedestrian, and vehicular circulation in the Amended Project Area;
- c. replanning, redesign, and development of undeveloped and underdeveloped areas which are stagnant or improperly utilized;
- d. strengthening of the economic base of the Amended Project Area and the community by installation of needed public improvements and facilities to stimulate new commercial expansion, employment, and economic growth;
- e. establishment and implementation of performance criteria to assure high site design standards, environmental quality, and other design elements which provide unity and integrity to the entire Amended Project Area;
- f. strengthening of the tax base by encouraging private development, thus increasing the assessed valuation of properties within the Amended Project Area as a whole and benefiting the various taxing districts in which the Amended Project Area is located;
- g. creating of public spaces, gateway entries, and the like;
- h. provision of civic buildings, public facilities, or community facilities owned or occupied by the Agency or other public entities including the City;
- i. provision of adequate land for parks, open space, street rights-of-way, and pedestrian rights-of-way;
- j. construction and improvement of water drainage and sewer facilities and major street corridors to allow traffic flows to move through the development along with

the accompanying utility connections through the Amended Project Area, including relocating certain utilities to underground facilities; and

- k. implementation of the Comprehensive Plan by the Agency with the Amended Urban Renewal Area to the extent funding is available and the implementation if activities are eligible activities under the Law and Act.

Any such land uses as described in the Plan will be in conformance with zoning for the city of Garden City and the Comprehensive Plan, as adopted by the City Council. Land made available will be developed by private enterprises or public agencies as authorized by law. The Plan identifies various public and private improvements which may be made within the Urban Renewal Area.

The Urban Renewal Project Area and Revenue Allocation Area herein referred to is located generally as follows:

An area consisting of approximately 400 acres (less the deleted area) from Veterans Memorial Parkway on the east (with the exception of certain parcels located to the west of Veterans Memorial Parkway along Adams, 42nd and 43rd Streets) to Remington Street on the west, the Boise River on the north, and the Osage right-of-way on the south along with the area along 50th Street.

The legal description of the Amended River Front Project area is as follows:



B & A Engineers, Inc.

Consulting Engineers & Land Surveyors
5505 West Franklin Rd. Boise, ID 83705
Telephone 208-343-3381 Facsimile 208-342-5792

Garden City Original Urban Renewal Agency Boundary Description Excluding Lands To Be Included In Proposed 2013 Urban Renewal Area

22 October 2012

An area consisting of approximately 395.36 acres enclosed within the following boundaries:

A portion of Sections 30, 31, and 32, Township 4 North, Range 2 East and Sections 5 and 6, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho and including portions of Fairview Acres Subdivisions #1 and #3, Randall Acres Subdivisions #4 and #5, Phelps Subdivision and Bradley Park Subdivision No. 1, as shown on the official plats thereof on file in the office of the Ada County, Idaho, Recorder, and being more particularly described as follows:

Commencing at the common corner of Sections 31 and 32, Township 4 North, Range 2 East and Sections 5 and 6, Township 3 North, Range 2 East; thence S 89°52' W, 131.11 feet to the southwesterly right-of-way of Osage Street, which is the ***Point of Beginning***:

Thence S 45°44' E, 1,461.99 feet, more or less, along the southwesterly right-of-way of Osage Street to the east corner of Lot 32, Block 5 of Fairview Acres Subdivision No. 1, said lot corner lies within the right-of-way of Veterans Memorial Parkway;

Thence N 44°16' E, 2,307.51 feet, more or less, to the north corner of Lot 8, Block 16 of Fairview Acres Subdivision No. 3;

Thence N 00°44' W, 106.07 feet to the south corner of Lot 25, Block 16 of Fairview Acres Subdivision No. 3;

Thence N 02°02' W, 311.21 feet to the north corner of Lot 25, Block 16 of Fairview Acres Subdivision No. 3;

Thence N 16°30' E, 107.35 feet to the southeast corner of Lot 15, Block 17 of Fairview Acres Subdivision No. 3;

Thence N 07°40' W, 381.08 feet to the north corner of Lot 15, Block 17 of Fairview Acres Subdivision No. 3;

Thence N 32°14' W, 308.52 feet to the north corner of Lot 20, Block 17 of Fairview Acres Subdivision No. 3;

Thence N 42°18' W, 50.09 feet to the southeast corner of Lot 16, Block 18 of Fairview Acres Subdivision No. 3;

Thence N 31°42' W, 309.23 feet to the north corner of Lot 16, Block 17 of Fairview Acres Subdivision No. 3;

Thence N 52°12' W, 301 feet to the north corner of Lot 19, Block 17 of Fairview Acres Subdivision No. 3;

Thence N 55°56' W, 50.80 feet to the east corner of Lot 15, Block 19 of Fairview Acres Subdivision No. 3;

Thence N 86°43' W, 384.19 feet to the northwest corner of Lot 14, Block 19 of Fairview Acres Subdivision No. 3;

Thence N 69°19' W, 327.35 feet to the north corner of Lot 15, Block 19 of Fairview Acres Subdivision No. 3;

Thence N 52°35' W, 50.36 feet to the north corner of Lot 12, Block 20 of Fairview Acres Subdivision No. 3;

Thence N 45°33' W, 300 feet to the north corner of Lot 12, Block 20 of Fairview Acres Subdivision No. 3 also to the intersection of the northeasterly boundary of Fairview Acres Subdivision No. 3 and the US Hay Reserve;

Thence N 37°23' W, 303.21 feet to the north corner of Lot 23, Block 20 of Fairview Acres Subdivision No. 3;

Thence N 36°39' W, 50.64 feet to the east corner of Lot 12, Block 21 of Fairview Acres Subdivision No. 3;

Thence N 38°08' W, 302.65 feet to the north corner of Lot 12, Block 21 of Fairview Acres Subdivision No. 3;

Thence N 42°52' W, 300.37 feet to the north corner of Lot 22, Block 21 of Fairview Acres Subdivision No. 3;

Thence N 25°56' W, 53.14 feet to the east corner of Lot 13, Block 22 of Fairview Acres Subdivision No. 3;

Thence N 58°54' W, 254.69 feet to the north corner of Lot 13, Block 22 of Fairview Acres Subdivision No. 3;

Thence S 44°16' W, 15 feet to the west corner of Lot 13, Block 22 of Fairview Acres Subdivision No. 3;

Thence S 60°36' W, 40.31 feet to the intersection of the north boundary of Fairview Acres Subdivision No. 3 and the section line common to said Sections 31 and 32;

Thence S 79°47' W, 185.64 feet;

Thence S 75°01' W, 121.78 feet;

Thence N 45°39' W, 981.6 feet;

Thence N 43°06' W, 12.25 feet;

Thence N 15°10' W, 227.27 feet;

Thence N 65°51' W, 295.82 feet;

Thence N 89°11' W, 184 feet;

Thence N 64°33' W, 86.52 feet;

Thence S 34°18' W, 447.61 feet to the north corner of Lot 6, Block 1 of Randall Acres Subdivision No. 5;

Thence N 32°06' W, 1,250.57 feet along the northeasterly boundary of Randall Acres Subdivision No. 5 to its intersection with the section line common to said Sections 31 and 32;

Thence N 29°39' W, 226.3 feet to the southeast corner of Lot 21, Block 5 of Randall Acres Subdivision No. 5;

Thence N 01°35' E, 213.6 feet along the easterly boundary of Lot 21, Block 5 of Randall Acres Subdivision No. 5;

Thence N 39°12' W, 192.6 feet to the north corner of Lot 21, Block 5 of Randall Acres Subdivision No. 5;

Thence N 63°34' W, 302.1 feet to the north corner of Lot 11, Block 5 of Randall Acres Subdivision No. 5;

Thence N 68°00' W, 320.6 feet;

Thence N 58°08' W, 172.2 feet to the southeast corner of Lot 9, Block 6 of Randall Acres Subdivision No. 5;

Thence N 49°12' W, 693.88 feet to the north corner of Randall Acres Subdivision No. 5;

Thence S 00°04' W, 1,506.68 feet to the southwesterly right-of-way of Alworth Street;

Thence S 55°40' E, 625.38 feet along the southwesterly right-of-way of Alworth Street to the north corner of Lot 16, Block 2 of Randall Acres Subdivision No. 4;

Thence S 34°20' W, 300 feet to the west corner of Lot 16, Block 2 of Randall Acres Subdivision No. 4;

Thence S 55°40' E, 1,005.00 feet along the southwesterly boundary of Randall Acres No. 5 to the north corner of Lot 1, Block 4 of Bradley Park Subdivision No. 1;

Thence S 34°20' W, 174.35 feet along the northwesterly boundary of Lot 1, Block 4 of Bradley Park Subdivision No.1 to the west corner of Lot 1, Block 4 of Bradley Park Subdivision No. 1;

Thence S 55°40' E, 391.25 feet along the southwesterly boundary of Lot 1, Block 4 of Bradley Park Subdivision No. 1 to the south corner of Lot 1, Block 4 of Bradley Park Subdivision No. 1;

Thence N 34°22' E, 174.35 feet along the southeasterly boundary of Lot 1, Block 4 of Bradley Park Subdivision No.1 to the east corner of Lot 1, Block 4 of Bradley Park Subdivision No. 1;

Thence S 55°40' E, 574.63 feet along the southwesterly boundary of Randall Acres No. 5;

Thence S 34°22' W, 500 feet;

Thence S 55°40' E, 526.87 feet;

Thence S 02°50' W, 349.71 feet, more or less, to the northwest corner of Lot 8, Block 3, Randall Acres Subdivision No. 4;

Thence N 55°42' W, 865.11 feet to the north corner of Randall Acres Subdivision No. 4;

Thence S 34°20' W, 184.10 feet, more or less, to the west corner of the intersection of an alley, as shown in Bradley Field Business Park

Subdivision, as shown on the official plats thereof on file in the office of the Ada County, Idaho, Recorder, and East 49th Street;

Thence N 55°40' W, 197 feet along the southwesterly right-of-way of said alley to the east corner of Lot 1, Block 1 of Bradley Field Business Park Subdivision;

Thence S 34°20' W, 115.50 feet along the southeast boundary of Lot 1, Block 1 of Bradley Field Business Park;

Thence S 45°44' E, 200.00 feet along a line parallel to the northeasterly right-of-way of Chinden Boulevard to the northwesterly right-of-way of East 49th Street;

Thence S 48°17'23" E, 50.42 feet to the west corner of Lot 30, Block 2, Randall Acres Subdivision No. 4;

Thence S 45°44' E, 817.30 feet to the southeasterly boundary of 48th Street right-of-way;

Thence N 44°16' E, 150 feet along the southeasterly boundary of 48th Street right-of-way to the north corner of Lot 53, Block 1, Randall Acres Subdivision No. 4;

Thence S 45°44' E, 1,288.50 feet along the southwesterly boundary of Fenton Street right-of-way to the east corner of Lot 29, Block 1, Randall Acres Subdivision No. 4;

Thence N 64°51'22" E, 17.46 feet;

Thence N 52°55' E, 453.82 feet;

Thence S 45°44' E, 106.63 feet, more or less, to the north corner of Lot 26, Block 1, Fairview Acres Subdivision No. 1;

Thence S 22°21' W, 107.8 feet to the north corner of Lot 27, Block 1, Fairview Acres Subdivision No. 1;

Thence S 53°42'56" W, 522.08 feet along the northwesterly boundary of Fairview Acres Subdivision to the north corner of Lot 34, Block 1, Fairview Acres Subdivision No. 1 and to the southwesterly right-of-way of Osage Street;

Thence S 45°44' E, 1,382.64 feet along the southwesterly right-of-way of Osage Street to the ***Point of Beginning***.

EXCEPTING THEREFROM the following lands:

Lots 4 and 5, Block 2, Lot 5, Block 3, Lots 4 through 7, Block 4, Lots 23 through 26, Block 5 of Fairview Acres Subdivision No. 1; Lots 25 through 28, Block 16, Lots 1, 2, 3 and 12, 13 and 20 through 23, Block 17, Lots 19 through 26, Block 18, Lots 10, 11 and Lots 28 through 30, Block 19, Lots 6 through 11 and 24 through 30, Block 20, Lots 3, 4, 5, 7, 26, 27 and 28, Block 21, Lots 10 through 13, Block 22 and the re-subdivided Riverview West and Northwind subdivisions in Fairview Acres Subdivision No. 3; Lots 6 through 8, Block 5, of Randall Acres Subdivision No. 5; Lot 1, Block 1 of Phelps Subdivision; and the following parcels:

A portion of Lots 1, 28 and 29, Block 6 of Randall Acres Subdivision No. 5, as shown on the official plat thereof on file in the office of the Ada County, Idaho, Recorder, being more particularly described as follows:

Commencing at the most southerly corner of said Lot 29, thence N 55°40'00"W, 100.00 feet along the southwesterly boundary of said Lot 29 to the **Point of Beginning**:

Thence continuing N55°40'00"W, 218.17 feet along the southwesterly boundary of said lots 29 and 1 to the southwest corner of said Lot 1;

Thence N00°04'00"E, 170.00 feet along the westerly boundary of said Lot 1 to a point 30.00 feet southerly of the northwest corner of said Lot 1;

Thence S89°56'00"E, 105.69 feet along a line 30.00 feet southerly of and parallel to the northerly boundary of said Lot 1;

Thence S55°40'00"E, 226.54 feet along the northeasterly boundary of said Lot 28 to a point 100.00 feet northwesterly of the most easterly corner of said Lot 28;

Thence S34°20'00"W, 200.00 feet along a line 100.00 feet northwesterly of and parallel to the southeasterly boundary of said lots 28 and 29 to the **Point of Beginning**.

AND EXCLUDING:

A portion of Lot 7, Block 18 of Fairview Acres Subdivision No. 3, as shown on the official plat thereof on file in the office of the Ada County, Idaho, Recorder, being more particularly described as follows:

Beginning at the most southerly corner of said Lot 7; which is the **Point of Beginning**:

Thence N45°44'W, 300.00 feet along the southwesterly boundary of said Lot 7 to the most westerly corner of said Lot 7;

Thence N44°16'E, 50.00 feet along the northwesterly boundary of said Lot 7 to the mid-point of said Lot 7;

Thence S45°44'E, 300.00 feet to the mid-point on the southeasterly boundary of said Lot 7;

Thence S44°16'W, 50.00 feet along the southeasterly boundary of said Lot 7 to the ***Point of Beginning***.

AND FURTHER EXCLUDING:

A portion of Section 32, Township 4 North, Range 2 East and Section 5, Township 3 North, Range 2 East, Boise Meridian, Garden City, Ada County, Idaho and including portions of Fairview Acres Subdivisions #1 and #3, as shown on the official plats thereof on file in the office of the Ada County, Idaho, Recorder, and being more particularly described as follows:

Commencing at the common corner of Sections 31 and 32, Township 4 North, Range 2 East and Sections 5 and 6, Township 3 North, Range 2 East; thence S 89°52' W, 131.11 feet to the southwesterly right-of-way of Osage Street, thence S 45°44' E, 1,461.99 feet, more or less, along the southwesterly right-of-way of Osage Street to the east corner of Lot 32, Block 5 of Fairview Acres Subdivision No. 1, said lot corner lies within the right-of-way of Veterans Memorial Parkway; thence N 44°16' E, 1,332.51 feet, more or less, to the south corner of Lot 18, Block 5 of Fairview Acres Subdivision No. 1 which is the Point of Beginning;

Thence N 45°44' W, 350.00 feet to the south corner of Lot 17, Block 4 of Fairview Acres Subdivision No. 1;

Thence S 44°16' W, 200.00 feet to the south corner of Lot 15, Block 4 of Fairview Acres Subdivision No. 1;

Thence N 45°44' W, 300.00 feet to the west corner of Lot 15, Block 4 of Fairview Acres Subdivision No. 1;

Thence N 44°16' E, 350.00 feet to the west corner of Lot 1, Block 17 of Fairview Acres Subdivision No. 3;

Thence S 45°44' E, 300.00 feet to the south corner of Lot 1, Block 17 of Fairview Acres Subdivision No. 3;

Thence N 44°16' E, 300.00 feet to the south corner of Lot 4, Block 17 of Fairview Acres Subdivision No. 3;

Thence N 45°44' W, 300.00 feet to the west corner of Lot 4, Block 17 of Fairview Acres Subdivision No. 3;

Thence N 44°16' E, 800.00 feet to the north corner of Lot 11, Block 17 of Fairview Acres Subdivision No. 3;

Thence S 45°44' E, 300.00 feet to the east corner of Lot 11, Block 17 of Fairview Acres Subdivision No. 3;

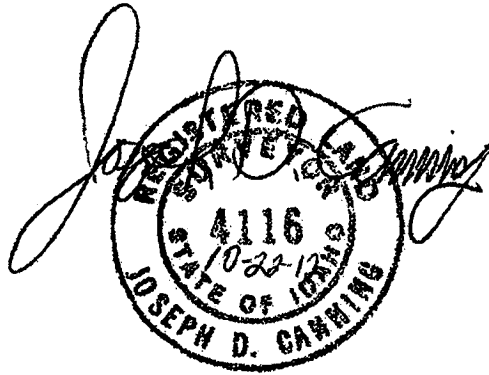
Thence S 44°16' W, 500.00 feet to the south corner of Lot 7, Block 17 of Fairview Acres Subdivision No. 3;

Thence S 45°44' E, 350.00 feet to the south corner of Lot 28, Block 16 of Fairview Acres Subdivision No. 3;

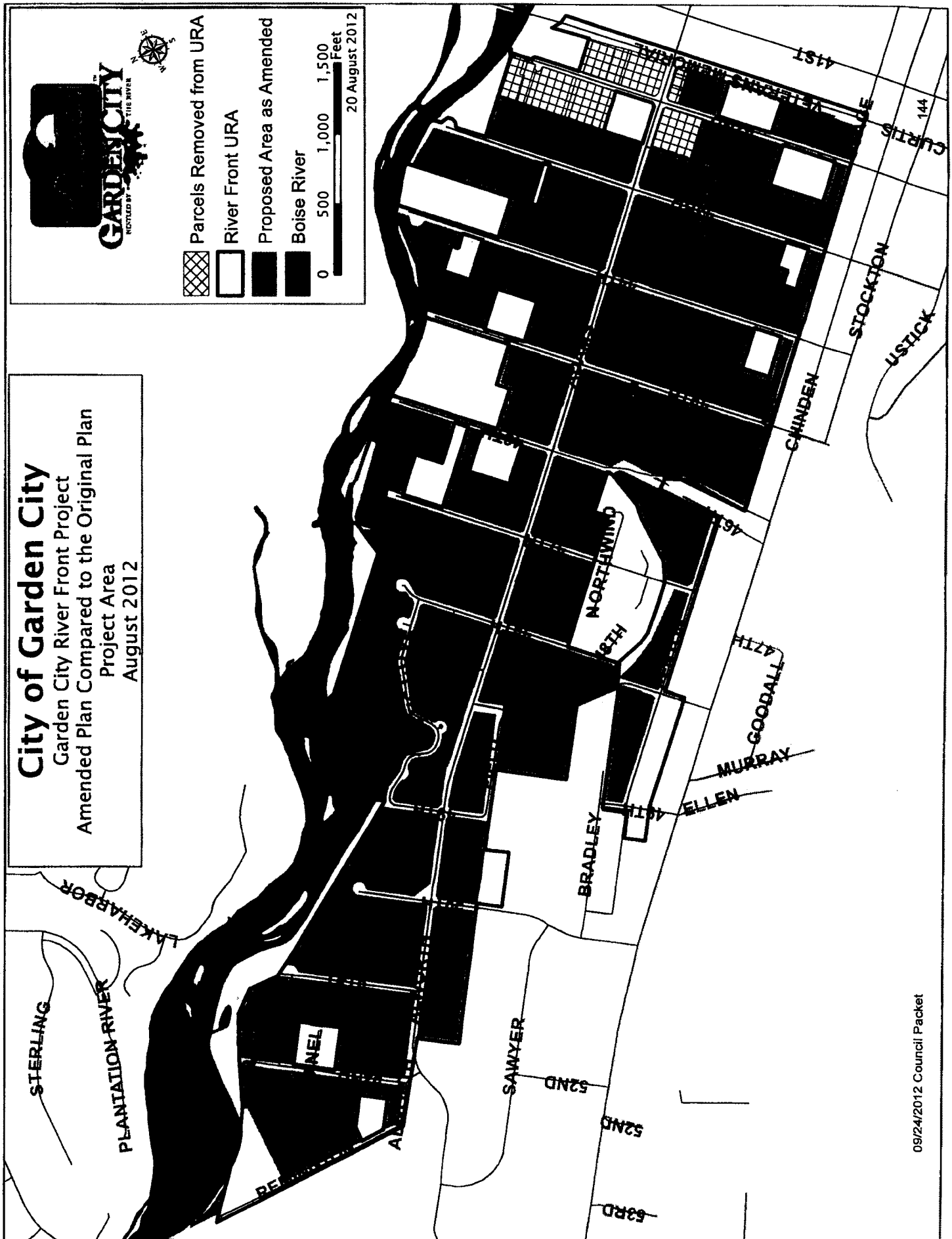
Thence S 44°16' W, 750.00 feet to the Point of Beginning.

Comprising 13.94 acres more or less

This description has been prepared from information of record in the Ada County Recorder's office and provided by the Garden City Urban Renewal Agency. A land survey specific to this description has not been performed.



The project area is also depicted in the map below:



Sections 300 through 314 discuss the proposed redevelopment actions, participation opportunities and agreements, cooperation with public bodies, property acquisition standards and requirements, relocation, demolition, and property disposition.

Sections 402 and 403 discuss the type of land uses authorized in the Project Area and list other controls by referencing the applicable County ordinances.

Section 405 describes design guidelines for development.

The Plan also contains a major section on financing. Among other sources, the Plan will utilize revenue allocation financing, authorized by Chapter 29, Title 50, Idaho Code. This statute was approved in 1988 by the Idaho Legislature. Section 504 and Attachment 5 discuss revenue allocation financing and show how such financing has worked and would work in the Project Area in the future if certain new private developments occur as estimated.

Increases in assessed valuation of real and personal property in the Project Area that occur after January 1, 2012, will generate revenue for the Agency to pay project costs. Project costs include street improvements, parking facilities, and other public improvement costs. The assessed valuation of real and personal property on the base assessment roll is still available for use by the other taxing districts, Ada County, city of Garden City, Ada County Highway District, Ada County Emergency Medical Services, Independent School District No. 1, North Ada Fire and Rescue, Mosquito Abatement District, College of Western Idaho, and Flood Control District No. 10 to finance their operations. The Plan authorizes the Agency to sell revenue bonds to finance project costs and to use annual revenue allocations to pay the debt service.

The program outlined in the Plan emphasizes the installation of needed public improvements, street improvements, utility work, and other costs to encourage private development.

Attachment 5 describes in detail the cost and financing methods for complete repayment of the debt incurred used to finance the Project and to also fund the additional described activities.

No change in the land use designation or the potential uses in the area have been proposed. The Plan follows the underlying zoning classifications of the city of Garden City. Proposals for certain zone changes are made in the Plan.

Sections 600 and 700 describe cooperative activities by the Agency with the City.

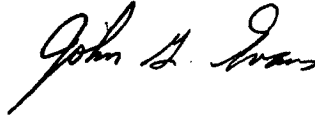
The duration of the Plan is for twenty-four (24) years. The elimination of certain parcels from the original project area does not change the termination date. A termination process is described in Section 800 of the Plan. The Agency is required to prepare an annual report each year describing its activities during the previous year.

ATTACHMENTS TO THE PLAN

| | |
|------------------------------|---|
| Attachment 1 | Description of the Amended Project Area and Revenue Allocation Area |
| Attachment 2 | Amended Project Area-Revenue Allocation Area Boundary Map |
| Attachment 3 | Private Properties Which May be Acquired by Agency |
| Attachment 4 | Amended Map Depicting Expected Land Uses and Current Zoning within Revenue Allocation Area and Project Area |
| Introduction to Attachment 5 | Introduction |
| Attachment 5 | Statement of Proposed Public Improvements, Costs, Revenues, Tax Impacts and Financing Methods (and) Implementation Plan |
| Attachment 5A | Estimated Net Taxable Value of New Private Development in Revenue Allocation Area |
| Attachment 5B | Estimated Annual Tax Revenue Allocations |
| Attachment 5C | Estimated Projected Revenues and Costs |
| Attachment 5C-1 | Financial History River Front Project Area 1996-2007 |

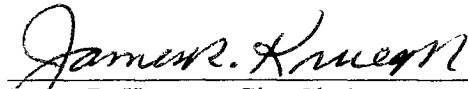
The full text of Ordinance 953-12 is available at the offices of the City Clerk, City Hall, 6015 Glenwood Street, Garden City, Idaho, 83714.

This summary is approved by the Garden City City Council at its meeting of October 22, 2012.



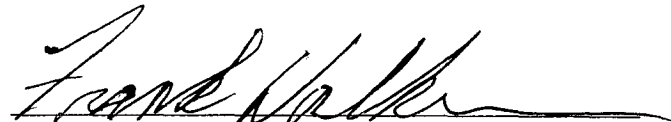
Mayor John Evans

ATTEST:


James R. Krueger, City Clerk

I, Frank Walker, City Attorney for the city of Garden City, Idaho, hereby declare and certify that in my capacity as City Attorney of the city of Garden City, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, I have reviewed a copy of the above Summary of Ordinance, have found the same to be true and complete, and said Summary of Ordinance provides adequate notice to the public of the contents, including the exhibits, of Ordinance No. 953-12

DATED this 22nd day of October 2012.


Frank Walker, City Attorney
Garden City, Idaho